

LAND & WATER CONSERVATION FUND GRANT PROGRAM INFORMATION

PURPOSE: The Land and Water Conservation Fund (LWCF) Act was enacted in 1964 to assist in preserving, developing and assuring accessibility to outdoor recreation resources for all citizens of the United States of present and future generations. The stateside portion of the LWCF program allocates funding to the States, and pass-through grants are then distributed to eligible applicants for the acquisition, development or rehabilitation of public outdoor recreation areas and facilities.

The LWCF is under the management of the National Park Service (NPS). Funds for the program are derived from Sales of federal surplus, a small portion of federal motorboat fuel taxes and Outer Continental Shelf (OCS) revenues derived from leasing of oil and gas sites in coastal waters.

WHO GETS WHAT: From Oklahoma's allocation of LWCF funds, 50/50 matching grants are offered to eligible applicants for the acquisition and development of outdoor recreation projects until funds are exhausted. State Parks and statewide planning projects may also be funded.

State and local government organizations, Indian Tribes, public schools and universities, are eligible to apply for LWCF funds.

Applications are scored by the Priority Rating System. The highest scoring applications will be approved until available funds are exhausted. Applications not approved are held over for next year's cycle at the applicants' request.

SOME THINGS YOU SHOULD KNOW

- This is a reimbursable grant - Project sponsors are responsible for financing 100% of the project costs. Developments that have been completed will be reimbursed up to 50%.
- Approved projects are given a two-year time frame for completion. Eligible developments for reimbursement must be made within this time frame.
- The project sponsor is generally required to hold fee-simple title to the property where the proposed project will be located. (Ownership of less-than fee interest may be acceptable if it provides for permanent control of the property to be utilized as an outdoor recreation area in perpetuity.) However, if the project is for land acquisition, the sponsor should not take title to the property until after the project is approved.
- Development projects for support facilities only (restrooms/concessions, parking walkways, etc) must include within the project boundary, the existing recreation facilities they will primarily be supporting. (e.g. if the project is for a ballfield restroom, the project boundary must include the ballfield and all associated facilities for the ballfield.)
- All facilities located within the project boundary (either existing or proposed) must be accessible to the physically disadvantaged. Also, all overhead electrical wires must be buried or relocated. These expenses are eligible for reimbursement. Be sure to include these expenses in your cost estimate.
- The project should be in accordance with the Statewide Conservation Outdoor Recreation Plan (SCORP). The SCORP is a study of existing recreation facilities in Oklahoma and identifies the need for further types of recreation facilities by sub-state planning regions. A copy of the SCORP is available upon request from this office. However, a locally-based master plan which identifies the current project as an outdoor recreational need for the community can override the SCORP. The relevant portion of the master plan should be included with the grant application.
- The sponsor's responsibility does not end at the completion of the project. Property acquired or developed under this program must be retained in perpetuity (endless duration) for outdoor recreation and will be subject to inspection by the State at least once every five years.

PRE-APPLICATION

*****HINTS*****

RESEARCH AND PLANNING of your outdoor recreation project is necessary and should be done before completing the application. Public input is needed for planning considerations of the project. (At least one public meeting should be held at least two weeks before an LWCF application is submitted.) By determining the wants and needs of the primary users of the proposed facilities, planning and budgeting of the project will become focused and straightforward.

THE PROJECT LOCATION should be determined. The area should be suitable for the facilities being developed and free of adverse environmental factors that could minimize quality recreation or present a health hazard. It should be convenient and easily accessible for users and for maintenance and control.

The project area should accommodate the existing and proposed recreation facilities and their support facilities, such as parking, restrooms, comfort stations, etc. Future developments should be kept in mind when determining the project area. Also, the extent of site clearing and ground leveling should be considered when picking a site.

A COST ESTIMATE should be drafted to determine the estimated costs for a development project, or a land acquisition project, and to assess the project sponsor's resources to complete the project.

Besides the actual construction costs of proposed facilities, or land acquisition costs, the cost estimate should take into account the following: site work (clearing, leveling, and landscaping), administration of the grant project, disabled accessibility improvements (for new and existing facilities), costs to relocate or bury overhead electrical lines and install utility lines if necessary, and signage. (A sign stating LWCF funds were used to develop the project is required. Project areas that will be reserved at certain times for school classes/groups, sports leagues, or other special groups should post a sign stating when the facility will be reserved and when it will be open to the public.)

LWCF projects can be financed with cash, in-kind labor and equipment-use, as well as donated materials, labor, equipment-use and cash. The total value of donations should not exceed 50% of the project costs. Reimbursement of approved projects will be made at 50% of the project costs based on receipts of expenses for completed project developments or acquisition costs. Reimbursements for donations will be made based on the dollar value of the donation up to 50% of the project costs.

THE PRIORITY RATING SYSTEM (included with the application) will assess your project's strong points and how well it meets the priorities for outdoor recreation set by this program. It is recommended that you review the questions on the rating scale to determine how well your project meets these priorities.

DISABLED ACCESSIBILITY should be determined for the proposed project area in terms of existing facilities and proposed facilities. All facilities developed with LWCF funds will need to be in compliance with the ADA accessibility standards.

New accessibility guidelines are being developed for outdoor-developed areas, play areas, and recreation facilities. Also the original ADA accessibility guidelines (ADAAG) are being updated. These standards can be obtained from the United States Architectural and Transportation Barriers Compliance Board (ACCESS Board); 1331 F St., N.W., Suite 1000, Washington, D.C. 2004-1111. Phone (800) 872-2253, (extension 2 for publications). The standards can also be downloaded from the ACCESS Board's Internet Website. The address is www.access-board.gov.

If you would like to request an application or need further information on this program, please visit our web site at www.otrd.state.ok.us Follow the Grant Information links.

Or contact us by phone at (405) 521-2980

Applications are due by the last working day of January .

OKLAHOMA RECREATIONAL TRAILS PROGRAM SUMMARY

History

The Recreational Trails Program (RTP) is a state-administered, federal-aid program managed through the Oklahoma Tourism and Recreation Department and the Federal Highway Administration in consultation with the Department of the Interior. This Act was part of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, and is now included in TEA-21. So far, Oklahoma has granted almost four million dollars for statewide trails projects.

Reimbursement Program

The Trails Program is a reimbursement-type grant program. The program provides for an 80 percent federal share and 20% non-federal share for each project. Additional federal funds may be used to provide up to 95% of the total project amount. Reimbursable project costs include land acquisition, labor and material costs, service contracts, design and engineering services and purchase or rental of equipment. The value of any donated items can also be included. Donations from the private sector (land, materials, or labor) may only be attributed to the sponsor's match.

Who is Eligible

Applications for trail projects will be accepted from:

- City and county governments
- State agencies
- Other governmental bodies created under state law (i.e. river authorities, planning districts)
- Federal land managers (i.e. U.S. Forest Service, Corps of Engineers)
- Private 501(c)(3) organizations

What is Eligible

It is the intent of the RTP that funds are to be used on recreational trails and trail-related projects. *Permissible Uses* include trail maintenance and restoration, land acquisition, construction of new trails, trail access for persons with disabilities and development of trail-head and trail-side facilities (i.e. rest areas, parking, signage).

Definition of a Recreational Trail:

"A trail serving a recreational purpose with no transportation function is a recreational trail. For example, a closed loop trail within a park or recreation area would be a recreational trail." Trail projects funded through NRTFA are primarily recreational in nature and are intended to enhance the recreational opportunity and resources of the park or recreation area.

Program Limitations

The federal act outlines a formula for state grant spending: 30% of the funds are reserved for uses related to motorized trail recreation, 30% are for uses related to non-motorized trail recreation, and the remaining 40% is discretionary for "diversified" trail use that gives preference to project proposals which (i) provide for the greatest number of compatible recreational trail purposes or (ii) provide for innovative recreational trail corridor sharing to accommodate motorized recreational trail use.

The program will limit the amount granted for any individual project in one application period to a maximum grant amount to be set at the beginning of each funding cycle. Applicants may submit a maximum of four (4) motorized and four (4) nonmotorized projects for a total maximum of eight (8) projects. However, the total amount granted for each individual sponsor may not exceed the cap. All projects must be started within 12 months of project approval and completed within 2 years.

Trails Advisory Board

In order to be eligible for funding through the RTP, each state must have a Recreational Trail Advisory Board in existence, on which both motorized and nonmotorized recreational trail users are represented. The Oklahoma Trails Advisory Board (OTAB) consists of nine members, seven of whom represent various types of trail use statewide, and two at-large members.

Project applications are scored by the OTAB by using the Project Priority Rating System. The highest scoring applications are approved until available funds are exhausted.

RTP Contacts

Oklahoma Tourism and Recreation Department
Conservation and Planning
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Go to www.otrd.state.ok.us/rd, Grant Programs to download applications

Recreational Trails Program Application Process

1. Sponsor submits application to Oklahoma Tourism and Recreation Department (OTRD).
2. Staff reviews and evaluates applications for eligibility and completeness.
3. Trails Advisory Board reviews and scores applications based on the Project Priority Scoring System criteria.
4. The highest scoring projects are recommended to the Tourism and Recreation Commission for approval.
5. After Commission approval, contracts are done with the Federal Highway Administration (FHWA) to obligate the funds.
6. Project Applicants are notified that their project has been tentatively approved and can now proceed and comply with the environmental, plans and specifications, and other federal requirements of the Program.
7. After FHWA and OTRD have received all of the required paperwork and everything is acceptable, a Project Agreement is sent to the Project Sponsor and FHWA outlining the project scope, time frame and other requirements of the grant.
8. After, and only after, the Project Agreement has been signed by the Project Sponsor and OTRD and a preliminary site inspection has been completed, can the Project Sponsor begin work on the project.
9. The Project Sponsor then submits expenses for reimbursement to OTRD. After OTRD submits claims for eligible expenses to the FHWA, federal funds are transferred to OTRD for reimbursement to Project Sponsor.
10. Period inspections are conducted by OTRD to assure compliance with project requirements.

Oklahoma Tourism Development Act

The Oklahoma Tourism Development Act (Senate Bill 3, Section 2357.34 of Title 68) provides incentives for qualified new or expanding tourism facilities and attractions. The program applies to:

1. recreational or entertainment facilities,
2. areas of natural phenomenon or scenic beauty,
3. theme parks,
4. amusement or entertainment parks,
5. indoor or outdoor play or music shows,
6. botanical gardens, or
7. cultural or educational centers.

The program does not apply to:

1. lodging facilities, unless the facilities constitute a portion of a tourism attraction project and represent less than fifty percent (50%) of the total approved costs of the tourism attraction project,
2. facilities that are primarily devoted to the retail sale of goods, unless the goods are created at the site of the tourism attraction project or if the sale of goods is incidental to the tourism project,
3. facilities that are not open to the general public,
4. facilities that do not serve as a likely destination where individuals who are not residents of this state would remain overnight in commercial lodging at or near the tourism attraction project,
5. facilities owned by the State of Oklahoma or a political subdivision of this state, or
6. facilities established for the purpose of conducting legalized gambling. However, a facility regulated under Section 200 et seq. Of Title 3A of the Oklahoma Statutes shall be a tourism attraction for purposes of this act for any approved project as outlined above or for an approved project relating to pari-mutuel racing at the facility and not for establishing a casino or for offering casino-style gambling.

To qualify, a project:

- Must attract at least fifteen percent (15%) of its visitors from among persons that are not residents of this state
- Must have cost in excess of Five Hundred Thousand Dollars (\$500,000)
- Must have a significant and positive economic impact on this state considering, among other factors, the extent to which the tourism attraction project will compete directly with existing tourism attractions in this state, and

the amount by which increased tax revenues from the tourism project will exceed the income tax credit allowed by this program

- Must produce sufficient revenues and public demand to be operating and open to the public on a regular and persistent basis
- Must not adversely affect existing employment in this state

Qualified and approved businesses whose agreement provides that it shall expend approved costs of more than Five Hundred Thousand Dollars (\$500,000) but less than One Million Dollars (\$1,000,000) shall be entitled to an income tax credit if the company certifies to the Oklahoma Tax Commission that it has expended at least Five Hundred Thousand Dollars (\$500,000) in approved costs, and the Director of the Oklahoma Tourism and Recreation Department certifies that the approved company is in compliance with this program. The Tax Commission shall then issue an income tax credit memorandum of ten percent (10%) of the approved costs. Subsequent requests for credit for additional certified approved costs in excess of Five Hundred Thousand Dollars (\$500,000) but less than One Million Dollars (\$1,000,000) shall result in an income tax credit in the amount of ten percent (10%) of the approved costs. Income tax credits allowed pursuant to the provisions of this program shall not be transferable or assignable.

Qualified and approved businesses whose agreement provides that it shall expend approved costs of more than One Million Dollars (\$1,000,000) shall be entitled to an income tax credit if the company certifies to the Oklahoma Tax Commission that it has expended at least One Million Dollars (\$1,000,000) in approved costs, and the Director of the Oklahoma Tourism and Recreation Department certifies that the approved company is in compliance with this program. The Tax Commission shall then issue an income tax credit memorandum of twenty-five percent (25%) of the approved costs. The credit on all subsequent additional certified approved costs shall be in the amount of twenty-five (25%) of the costs.

To request additional information about this program, contact Doug Hawthorne at the Oklahoma Tourism and Recreation Department at 405-521-6865.